

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RALPH C. JOHNSON,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
	:	
GEORGE W. HILL	:	
CORRECTIONAL FACILITY, et. al.	:	
	:	
Defendants.	:	NO. 06-4476

MEMORANDUM AND ORDER

Baylson, J.

November 29, 2007

Plaintiff Ralph C. Johnson (“Johnson”) has filed a “Motion for Determination of Status of Case.” On October 3, 2007, Johnson, previously a prisoner at the George W. Hill Correctional Facility (“Facility”),¹ filed a complaint against the Facility and employees of the Facility, alleging improper treatment and Eighth Amendment violations. (See Doc. No. 11).

Johnson’s initial filing with the court was a motion for leave to proceed in forma pauperis (“IFP”) filed on October 6, 2006. (See Doc. No. 1). On October 25, 2006, the Court supplied Johnson with the appropriate form and instructions for filing for leave to proceed IFP. The Court ordered Johnson to complete the form and return it to the Court within 30 days. (See Doc. No. 2). Johnson did not correctly move for leave to proceed IFP and provide the Court with necessary supporting information until September 17, 2007. (See Doc. No. 9). As a result, Johnson’s case had been designated “closed.” After Johnson submitted the necessary supporting information for his motion to file IFP, his motion was granted and his case was re-opened.

¹ Johnson is currently incarcerated at Northwest Correctional Complex Site-1, in Tiptonville, Tennessee.

The case was re-opened on October 9, 2007, and currently before the Court is Johnson's "Motion for Determination of Status," with a filing date of October 9, 2007. (See Doc. No. 14). However, despite the filing date, Johnson's Motion was not in response to the re-opening of the case. Since he is incarcerated, Johnson is not obligated to file electronically. Johnson sent his Motion to the Court in a letter post-marked October 4, 2007. Thus, Johnson had written and sent the Motion before learning that the case was re-opened on October 9, 2007. Now that the case is re-opened, the case's status is clear.² Johnson's Motion is therefore moot and will be denied as such.

AND NOW, this 29th day of November, 2007, for the reasons set forth above, it is hereby ORDERED that Plaintiff's Motion for Determination of Status (Doc. No. 14) is DENIED as MOOT.

BY THE COURT:

s/Michael M. Baylson

Michael M. Baylson, U.S.D.J.

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² The docket also shows that on November 13, 2007, summons were issued as to Susan Petney, Susan Kendra, George W. Hill Correctional Facility, Dr. Jermain, Dr. Phillips, Dr. Purner, Ivy Ford, Jackie Schulty, and Beverly Parkinsen.